

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARCHESU MINOR

Plaintiff

v.

DISTRICT ATTORNEY OFFICE

Defendant

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CIVIL ACTION NO. 18-CV-5656

O R D E R

AND NOW, this 31st day of January, 2019, upon consideration of *pro se* Plaintiff Marchesu Minor's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 2), Prisoner Trust Fund Account Statement (ECF No. 3), and Complaint (ECF No. 1), it is hereby **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. Minor, #652919, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Minor, an initial partial filing fee of \$8.98 is assessed. The Warden or other appropriate official at the Riverside Correctional Facility or at any other prison at which Minor may be incarcerated is directed to deduct \$8.98 from Minor's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 18-5656. In each succeeding month when the amount in Minor's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Minor's inmate trust fund account until the fees are paid. Each payment shall reference the docket number for this case, Civil Action No. 18-5656.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden at the Riverside Correctional Facility.

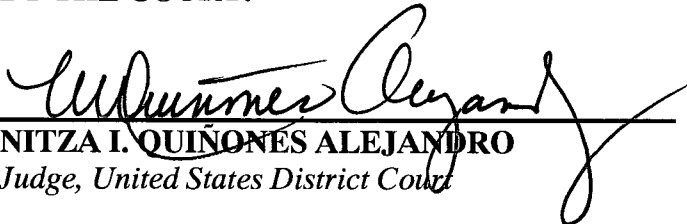
4. The Complaint is **DISMISSED without prejudice**, for failure to comply with Rule 8 of the Federal Rules of Civil Procedure and for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court's Memorandum.

5. Minor is given leave to file an amended complaint within thirty (30) days of the date of this order in the event she can state a plausible claim against an appropriate defendant or defendants that has not already been litigated. If Minor files an amended complaint, she shall identify all of the defendants in the caption of the amended complaint, clearly state how each defendant was involved in the claimed violations of her rights, and identify the relief that she seeks. Any amended complaint shall not rely on Minor's original complaint in order to state a claim. Upon the filing of an amended complaint, the Clerk of Court shall not make service until so **ORDERED**.

6. The Clerk of Court is **DIRECTED** to send Minor a blank copy of the Court's current form complaint for a prisoner filing a civil rights action bearing the civil action number for this case. Minor may use this form to prepare her amended complaint.

7. If Minor fails to file an amended complaint in accordance with this Order, her case may be dismissed for failure to prosecute without further notice.

BY THE COURT:


NITZIA I. QUINONES ALEJANDRO
Judge, United States District Court